

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ELVIA CORDERO,**

**Plaintiff,**

**v.**

**No. 13-cv-0031 SMV/GBW**

**TODD FROATS, PETER BRADLEY,  
JOSE SANCHEZ, CODY AUSTIN,  
and CITY OF LAS CRUCES,**

**Defendants.**

**ORDER TO SHOW CAUSE  
AND ORDER VACATING TRIAL**

THIS MATTER is before the Court on Defendants' Motion to Enforce Settlement Agreement [Doc. 178], filed on October 5, 2017, and on the Attorney's Charging Lien [Doc. 177], filed by James P. Lyle, Esquire, on September 28, 2017. Although Plaintiff has been served with both filings, she has not responded to either. Accordingly, the Court intends to grant Defendant's Motion to Enforce Settlement Agreement [Doc. 178] and honor the Attorney's Charging Lien [Doc. 177].

Plaintiff has **14 days** to show cause in writing why the Court should not grant the Motion to Enforce Settlement Agreement, enforce the Attorney's Charging Lien, and dismiss this case with prejudice as follows:

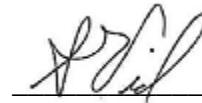
1. Find that the parties have settled, as outlined in the Defendants' Motion [Doc. 177], for a sum of \$25,000 in exchange for a mutual release of all claims.
2. Enforce the settlement between the parties according to the terms of the Settlement Agreement and Release of All Claims located in [Doc. 178-3], pages 2-6.
3. Enforce the Attorney's Charging Lien [Doc. 178].

4. Order the parties to sign the Settlement Agreement and Release of All Claims located in [Doc. 178-3], pages 2–6.
5. Upon mutual execution of the Settlement Agreement and Release of All Claims, order Defendants to:
  - a. Pay Attorney James Lyle \$24,210.39 in satisfaction of the Attorney's Charging Lien [Doc. 178].
  - b. Pay Plaintiff the settlement amount minus the amount of the Attorney's Charging Lien, which would be \$789.61.
  - c. File a certificate of service indicating that the payments have been made.
6. Dismiss the case with prejudice.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiff have until **November 9, 2017**, to submit her written response.

**IT IS FURTHER ORDERED** that the trial set for November 13, 2017, be **VACATED**.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
United States Magistrate Judge  
Presiding by Consent